

FILED
U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

2010 OCT -8 PM 2:51

CLERK C. Adair
SO. DIST. OF GA.

**WILLIAM D. SIMMONS AND
RUTH S.B. SIMMONS,**

PLAINTIFFS,

V.

**MACQUARIE MORTGAGE USA
INC. (1) AND
TRANSCONTINENTAL LENDING
GROUP INC. (2),**

DEFENDANTS.

~~~~~

**Civil Action No. CV210-148**

**MOTION FOR APPROVAL TO VOLUNTARILY DISMISS DEFENDANT  
TRANSCONTINENTAL LENDING GROUP INC. (2)**

**COME NOW, the Plaintiffs, William D. Simmons and Ruth S.B. Simmons, move the Court for approval to voluntarily dismiss without prejudice Transcontinental Lending Group Inc. (2), and in support of said motion state as follows:**

The effect of this dismissal on the Plaintiffs shall be minimal as the likelihood of recovery from the said Defendant is extremely remote. This dismissal should not affect the Plaintiffs' rights to recover on their claims against other remaining Defendant (1) or to pursue these same claims against Transcontinental Lending Group Inc. (2) in other forums.

WHEREFORE, Plaintiffs request approval to dismiss Transcontinental Lending Group Inc. (2) without prejudice from the above captioned matter, and for such other and further relief as the Honorable Court deems just.

Respectfully submitted,



William D. Simmons  
203 Sandpiper Rd  
Brunswick, GA 31523  
(912) 269-0118

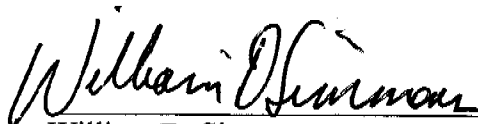


Ruth S.B. Simmons  
203 Sandpiper Rd  
Brunswick, GA 31523  
(912) 269-0118

**CERTIFICATE OF SERVICE**

IT IS HEREBY Certified that a copy of the foregoing Motion for Approval to Voluntarily Dismiss Defendant Transcontinental Lending Group Inc. (2) was served to their Florida Office by causing a true and correct copy to be deposited with USPS certified mail, proper postage affixed and addressed as follows:

Transcontinental Lending Group Inc.  
401 Fairway Drive  
Suite 100  
Deerfield Beach, FL 33441



William D. Simmons



Ruth S.B. Simmons